



PATENT
Attorney Docket No. 08049.0831-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Edward J. KUEBERT et al.

Application No.: 09/976,039

Filed: October 15, 2001

For: **FLEXIBLE MAIL DELIVERY
SYSTEM AND METHOD**

)
)
) Group Art Unit: 3628
)
) Examiner: Fadey S. Jabr
)
) Confirmation No.: 1583
)
)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION of WILLIAM J. DOWLING UNDER 37 C.F.R. § 1.131

I, William J. Dowling, state that I am one of the named Applicants of the above-identified application and am one of the coinventors of the subject matter described and claimed therein. Prior to September 28, 2000, Edward J. Kuebert, Scott R. Bombaugh and I had completed in this country the invention as described and claimed in the above-identified application as evidenced by the following:

1. Prior to September 28, 2000, we conceived the invention of this patent application. This is evidenced by at least the laboratory pages from the notebook of Edward J. Kuebert, dated prior to September 28, 2000, attached as Exhibit A.
2. Prior to September 28, 2000, we described the invention to the in-house patent counsel at our employer, United States Postal Service ("USPS").
On a date prior to September 28, 2000, Ms. Linda Paine-Powell, who was

an USPS In-house counsel, requested that attorneys at Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. ("FHFGD"), prepare this patent application. The e-mail from Ms. Linda Paine-Powell dated prior to September 28, 2000, is provided as Exhibit B.

3. The provisional U.S. Application No. 60/239,926, entitled "Flexible Parcel Delivery System and Method" was filed on October 13, 2000. The filing receipt is provided in Exhibit C.
4. This patent application claims the priority of U.S. Application No. 60/239,926.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

Respectfully submitted,

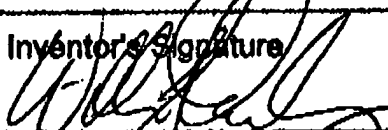
Full Name of Third Inventor William J. Dowling	Inventor's Signature 	Date Feb 20, 2008
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Exhibit A

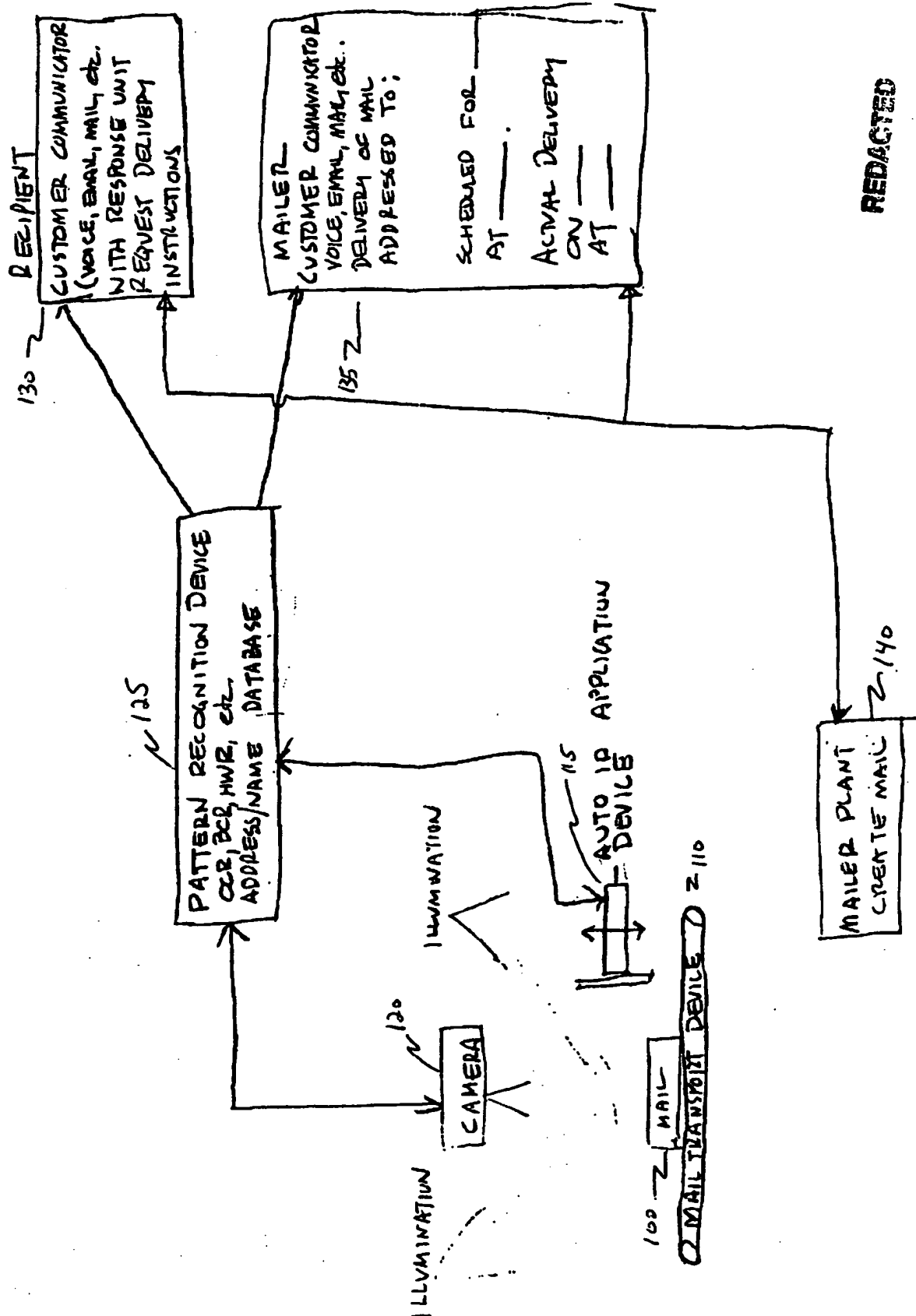
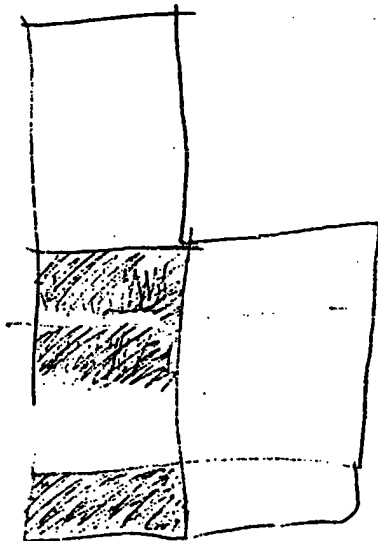


FIG. 1

PROCESS.

1. CAPTURE MAIL IMAGE OR CUSTOMER SUPPLIED DATA
2. DETERMINE DELIVERY POINT
3. APPLY AUTOMATIC IDENTIFICATION DEVICE
4. NOTIFY RECIPIENT, VIA DELIVERY POINT WITH NAME VERIFICATION THAT WE HAVE MAIL FOR THEM AND ASK WHEN AND HOW THEY WANT IT DELIVERED; e.g. AT HOME ^{LOCATED AT} BETWEEN X AND Y TIME, AT OFFICE ^{LOCATED AT} BETWEEN X AND Y TIME, TO PERSON (NAME) ^{LOCATED AT} BETWEEN X AND Y TIME, TO ADDRESS ^{LOCATED AT} ON.
5. DELIVER ACCORDING TO ABOVE INSTRUCTIONS.
6. NOTIFY MAILER OF RECIPIENT INSTRUCTIONS
7. NOTIFY MAILER OF ACTUAL DELIVERY.
8. IF UNDELIVERABLE NOTIFY MAILER & REQUEST DISPOSITION - RETURN, AUCTION OF AND REHT PROCEEDS TO _____, DESTROY, DONATE TO _____, NOTIFY MAILER WHEN THEIR INSTRUCTIONS ARE COMPLIED WITH.

Delivery Confirmation



Please make these steps into a flow chart, ↑

FIG. 2

REDACTED

Exhibit B

From: LINDA PAINE-POWELL <LPAINEP@email.usps.gov>
To: "erika.arnier" <erika.arnier@finnegan.com>
Date: :23PM
Subject: Invention by Dowling, Kuebert, etc.

I would like to attend the first meeting.

You probably have already received Ed's email re: . For scheduling, please respond to that email.

This can be included in teh invention sweep.

I am still waiting for VP Dowling to send me a list of Merrifield engineers to contact—if we don't hear from him soon, like by Monday, we should go ahead and contact Larry Elyea and J.Weller. Can you make a note to check with me on this next Monday or so?

CONFIDENTIAL

Reply Separator _____

Subject: Re: Invention by Dowling, Kuebert, etc.
Author: erika.arnier@finnegan.com at INTERNET
Date: .

Dear Linda,

Thank you for the information on the USPS "System for Capturing and Processing Package Address Data." We assume that you wish for us to include this project in the USPS Invention Sweep on a high priority basis. [However, if you wish to make it a special matter, please let us know.]

Would you like us to contact Ed Kuebert directly to set up a meeting with him and the other inventors for sometime next week (or would you rather coordinate the first meeting from your office)? Also, note that, except for the ICS matter, this will be our first Invention Sweep contact with the Engineering department, in case you would like to attend the first meeting.

Please let us know how you wish us to proceed.

Regards,
Erika

>>> LINDA PAINE-POWELL <LPAINEP@email.usps.gov>

6PM >>>

This relates to the email I forwarded a moment ago titled Inventionby Dowling, Kuebert, etc.

Dowling is VP of Engineering and appears to be an inventor.

We need to move on this quickly and with your usual expertise and professionalism to the max!

REDACTED

We also need to show VP Dowling how little the patent process interferes with his staff's work and over time to show him how valuable it is--how worth the money, even when using other companies to develop USPS inventive ideas.

Also, just quickly, the Eng. dept. may be one of the hardest to convert away from the practice of freely disclosing ideas to the practice of protecting ideas--cost and interference with the conduct of business and with using others to develop USPS ideas seem to be the main concerns.

I have one email mroe to forward to you on this.

Forward Header

Subject: Re: URGENT--USPS ideas--e-commerce related
Author: William J. Dowling at ERD-SWD
Date:

I want a provisional on capturing address data during package creation and distribution, then moving that info forward, linking with the customer thru internet to determine delivery preferences. I suspect there is IP down already, this is one way to find out. If not it might give us a license fee from our competitors.

I'll discuss with Ed and Scott if you'll help us write it up.

Reply Separator

Subject: URGENT--USPS ideas--e-commerce related
Author: LINDA S PAINE-POWELL at WADC027L
Date: 1

On a fast track, using funding provided by Pete Jacobson, USPS attorneys are meeting with USPS employees to "capture" their inventive ideas into provisional patent applications. This is a significant step towards protecting USPS ideas, but one that should not hinder the progress of business or operations.

The focus is e-commerce and any systems that support, connect with, or use e-commerce services.

A provisional patent application is akin to a draft application. It must disclose the inventive idea and its reduction to practice, but does not need a formal specification and claims. Thus, it is quick to prepare and file.

Our process for capturing inventive ideas into provisional applications uses a minimum of the employee's time--usually just two meetings with the attorney and review of the completed provisional application.

REDACTED

With a provisional application on file, your staff can disclose the idea outside of USPS, if needed, knowing that the protection is in place. (If the idea is particularly valuable, it would be prudent to consider entering into an NDA, in addition to relying upon the provisional.)

USPS will have a year after the provisional applications are filed to formalize them into non-provisional/standard patent applications.

To meet our goal of filing the provisionals before the Postal Forum, we need to meet with your staff this week, if possible, or if not, then next week.

Unless we hear to the contrary from you, we plan to get the process started by contacting individuals on your staff that we have met with previously on other patent matters, such as Ed Kuebert and Larry Elyea. Please let us know who else we should contact and whether you would like a meeting with us about this.

Forwarded with Changes

From: William J. Dowling at ERD-SWD

Date: 9M

To: Li -POWELL at WADC027L

Receipt Requested

*cc: Scott R Bombaugh at VAENGSP1

*cc: Edward J. Kuebert at MEVA008L

Subject: Re: URGENT--USPS ideas--e-commerce related

CC: "lionel.lavenue" <lionel.lavenue@finnegan.com>, "robert.converse" <robert.converse@finnegan.com>

REDACTED

Exhibit C



UNITED STATES PATENT AND TRADEMARK OFFICE

REC/DDM/BAP

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
60/239,926	10/13/2000		200	08049.6229-00000	2		

RECEIVED

CONFIRMATION NO. 8845

22852

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP

DUNNER LLP

1300 I STREET, NW

WASHINGTON, DC 20005

 FINNEGAN, HENDERSON,
 FARABOW, GARRETT & DUNNER, LLP.

UPDATED FILING RECEIPT



OC000000006380997

Date Mailed: 08/03/2001

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

 Edward J. Kuebert, Warrenton, VA;
 Scott R. Bombaugh, Burke, VA;
 William J. Dowling, Reston, VA;

If Required, Foreign Filing License Granted 11/25/2000

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

Title

Flexible parcel delivery system and method

Data entry by : SOUNANNARATH, LINDA

Team : OIPE

Date: 08/03/2001


 JCR
 8/6/01

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

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